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November 29, 2006

The Honorable Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: Petition of BellSouth Telecommunications, Inc. for Standing Protective Order  
Regarding Information Submitted Pursuant to Commission Regulation 103-614  
Docket No.:

Dear Mr. Terreni:

Enclosed for filing are an original and one (1) copy of BellSouth Telecommunications, Inc.'s Petition for Standing Protective Order Regarding Information Submitted Pursuant to Commission Regulation 103-614 in the above-referenced matter.

By copy of this letter, I am serving the Office of Regulatory Staff with a copy of this pleading as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Patrick W. Turner

PWT/nml  
Enclosure  
cc: Office of Regulatory Staff  
DM5 #659531

**THIS DOCUMENT IS AN EXACT DUPLICATE OF THE E-FILED COPY  
SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC  
FILING INSTRUCTIONS.**

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

IN RE: Petition of BellSouth Telecommunications,     )  
      Inc. for Standing Protective Order Regarding     )     DOCKET NO. \_\_\_\_\_  
      Information Submitted Pursuant to                 )  
      Commission Regulation 103-614                    )

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
PETITION FOR STANDING PROTECTIVE ORDER REGARDING  
INFORMATION SUBMITTED PURSUANT TO  
COMMISSION REGULATION 103-614**

BellSouth Telecommunications, Inc. respectfully requests that the Public Service Commission of South Carolina enter a standing Protective Order regarding information submitted pursuant to Commission Regulation 103-614. As explained below, entering such an order would reduce costs and increase efficiency for all involved.

Commission Regulation 103-614 requires telephone utilities to maintain designated information related to certain service interruptions. If such an interruption exceeds one hour, the telephone utility is required to notify the Commission of the interruption and to submit to the Commission a copy of any written report submitted to any federal jurisdictional entity.<sup>1</sup> The Federal Communications Commission ("FCC") affords proprietary and confidential treatment to the type of information addressed by

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<sup>1</sup> *Id.* The Commission recently has proposed non-substantive changes to this Regulation, and those changes have been submitted to the General Assembly for review pursuant to state law.

Regulation 103-614, noting that “disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity.”<sup>2</sup>

This Commission has agreed with the FCC’s position on this matter and, in the past, has issued orders granting proprietary and confidential treatment to information submitted pursuant to Regulation 103-614 on a case-by-case basis.<sup>3</sup> This case-by-case approach requires telephone utilities to prepare and file a request for confidential treatment each time such information is submitted to the Commission. This, in turn, requires the Commission to separately docket, decide, and issue an order addressing each request. BellSouth submits that it would be more efficient and less costly for all involved if the Commission were to enter a standing protective order addressing the matter.

BellSouth, therefore, respectfully requests that the Commission enter a standing order granting confidential and proprietary treatment of information submitted pursuant to Commission Regulation 103-614. Exhibit A to this Petition is a Proposed Order to that effect for the Commission’s consideration. This Proposed Order is consistent with prior Commission Orders that grant proprietary treatment on a standing basis.<sup>4</sup>

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<sup>2</sup> See Report and Order and Further Notice of Proposed Rule Making, *In the Matter of New Part 4 of the Commission’s Rules concerning Disruptions to Communications*, FCC Order No. 04-188 in ET Docket No. 04-35 at ¶3 (August 19, 2004).

<sup>3</sup> See, e.g., Order Granting Confidentiality, *In re: Request of BellSouth Telecommunications, Inc. for Confidential Treatment of a Notification of a Service Interruption Affecting the Camden Areas and the Charleston West-Ashley Areas*, Order No. 2006-428 in Docket No. 2006-188-C (July 24, 2006).

<sup>4</sup> See, e.g., Order Granting Motion for Protective Order and Protective Order, *In Re: Proceeding to Establish Guidelines for an Intrastate Universal Service Fund*, Order No. 2005-139 in Docket No. 1997-239-C (March 31, 2005).

Respectfully submitted:

A handwritten signature in black ink that reads "Patrick Turner". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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PATRICK W. TURNER  
BELLSOUTH TELECOMMUNICATIONS, INC.  
Suite 5200  
1600 Williams Street  
Columbia, South Carolina 29201  
(803) 401-2900

643914

# EXHIBIT A

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

IN RE: Petition of BellSouth Telecommunications,     )  
Inc. for Standing Protective Order Regarding     )     DOCKET NO. \_\_\_\_\_  
Information Submitted Pursuant to     )  
Commission Regulation 103-614     )

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
PROPOSED STANDING PROTECTIVE ORDER REGARDING  
INFORMATION SUBMITTED PURSUANT TO  
COMMISSION REGULATION 103-614**

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition of BellSouth Telecommunications, Inc. for a standing protective order regarding information submitted pursuant to Commission Regulation 103-614. For the reasons set forth below, the Commission has determined that the Motion should be granted, and we hereby adopt the following Order to facilitate the timely and efficient filing of information required by Regulation 103-614 while adequately protecting material entitled to be kept confidential.

Commission Regulation 103-614 requires telephone utilities to maintain designated information related to certain service interruptions. If such an interruption exceeds one hour, the telephone utility is required to notify the Commission of the interruption and to submit to the Commission a copy of any written report submitted to any federal jurisdictional entity. *Id.*<sup>1</sup>

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<sup>1</sup> The Commission recently has proposed non-substantive changes to this Regulation, and those changes have been submitted to the General Assembly for review pursuant to state law. This Order applies to the existing version of Regulation 103-614

BellSouth's points out that the Federal Communications Commission ("FCC") affords proprietary and confidential treatment to the type of information addressed by Regulation 103-614, pursuant to FCC Order No. 04-188 in ET Docket No. 04-35 (August 19, 2004). That Order states that "disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity." *Id.* at paragraph 3. We agree with the FCC position on this matter and, in the past, we have issued orders granting proprietary and confidential treatment to such information on a case-by-case basis. *See, e.g.,* Order Granting Confidentiality, *In re: Request of BellSouth Telecommunications, Inc. for Confidential Treatment of a Notification of a Service Interruption Affecting the Camden Areas and the Charleston West-Ashley Areas*, Order No. 2006-428 in Docket No. 2006-188-C (July 24, 2006).

In its Motion, BellSouth notes that this case-by-case approach to addressing the confidentiality of such information requires telephone utilities to prepare and file a request for confidential treatment each time a report is submitted to the Commission. This, in turn, requires the Commission to separately docket, decide, and issue an order addressing each request. BellSouth submits that it would be more efficient and less costly for all involved if the Commission were to enter a standing protective order addressing all such requests. We agree, and we therefore find and order that:

1. Information that a telephone utility is required to maintain and submit pursuant to Commission Regulation 103-614 should be afforded confidential and proprietary treatment. *See, e.g.,* FCC Order No. 04-188 *supra*.

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and to any new version that may result from the General Assembly's review of the Commission's proposed changes.

2. When required to submit information to the Commission pursuant to Commission Regulation 103-614, a telephone utility shall submit: (a) a proprietary, unredacted copy of the information in a sealed envelope with each page marked "Confidential" in red ink, or with other markings that are reasonably calculated to alert custodians of the materials to their confidential or proprietary nature; and (b) a public copy of the information that redacts the specific information that is entitled to confidential and proprietary treatment. The proprietary copy shall not be available for public inspection, and the public copy shall be available for public inspection

3. Persons or entities may apply to the Commission for a ruling that materials designated as proprietary pursuant to this Order are not entitled to such status and protection from public disclosure. In that event, the party that designated the materials as proprietary shall be given notice of the application and a reasonable opportunity to respond. The materials that are subject to such an application shall continue to be protected from public disclosure unless the Commission enters an Order to the contrary.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

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G. O'Neal Hamilton, Chairman

ATTEST:

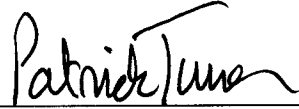
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C. Robert Moseley, Vice Chairman



(SEAL)

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Patrick Turner", written over a horizontal line.

PATRICK W. TURNER  
BELLSOUTH TELECOMMUNICATIONS, INC.  
Suite 5200  
1600 Williams Street  
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(803) 401-2900

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STATE OF SOUTH CAROLINA

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COUNTY OF RICHLAND

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CERTIFICATE OF SERVICE

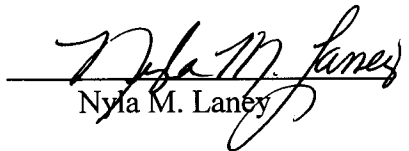
The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Petition for Standing Protective Order Regarding Information Submitted Pursuant to Commission Regulation 103-614 to be served upon the following on November 29, 2006.

Florence P. Belser, Esquire  
General Counsel  
Post Office Box 11263  
Columbia, South Carolina 29211  
(Office of Regulatory Staff)  
**(U. S. Mail and Electronic Mail)**

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Nyla M. Laney

PC Docs # 659542